

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/063,316	IADANZA, JOSEPH A.	
	Examiner SOPHIA VLAHOS	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 7/16/2007.
2.  The allowed claim(s) is/are 1-2, 4, 6-20 (renumbered as (1-2, 3, 4-18 respectively).
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Spencer K. Warnick (40,398) on 7/30/2007.

The application has been amended as follows:

***In the claims (received on 7/16/2007):***

Claim 1, line 12 (after the preamble) insert phrase ---reference --- before phrase "clock signal".

Claim 4, delete phrase -- a – before phrase "clock signal", insert phrase --- the reference --- before phrase "clock signal".

Claim 8, line 12 (after the preamble) insert phrase ---reference --- before phrase "clock signal".

Claim 12, line 2, insert phrase ---reference --- before phrase "clock signal".  
line 3, insert phrase ---reference --- before phrase "clock signal".

Claim 13, line 3, insert phrase ---reference --- before phrase "clock signal".

Claim 16, line 2, insert phrase ---reference --- before phrase "clock signal".

Claim 18, line 16, delete phrase -- controlling -- before phrase "a jitter control system", insert phrase --- controls --- before phrase "a jitter control system".

line 17, insert phrase ---reference --- before phrase "clock signal".

Claim 19, line 3 insert phrase ---reference --- before phrase "clock signal".

### ***Allowable Subject Matter***

2. The following is an examiner's statement of reasons for allowance:

The prior art of the record fails to teach or suggest alone or in combination: A transceiver for receiving and transmitting data over a network, comprising: a built-in-self test (BIST) device for providing a reference clock signal with a varied offset for jitter testing the transceiver, wherein the BIST device includes a jitter control system comprising: a multiplexor for outputting the reference clock signal | at least one delay timer for delaying an input clock signal; a shift register for controlling the multiplexor, and a controller for controlling the multiplexor and updating the shift register, as recited in claim 1 and in combination with other elements of the claim.

Claims 1-2, 4, 6-7 are allowed.

The prior art of the record fails to teach or suggest alone or in combination: A transceiver for receiving and transmitting data over a network, comprising: a built-in-self test (BIST) device varying an offset of a reference clock signal embedded within the network data signal, and the BIST device includes a jitter control system comprising: a multiplexor for outputting the clock signal | at least

one delay timer for delaying an input clock signal; a shift register for controlling the multiplexor, and a controller for controlling the multiplexor and updating the shift register, as recited in claim 8 and in combination with other elements of the claim.

Claims 8-14 are allowed.

The prior art of the record fails to teach or suggest alone or in combination: A method for testing performance of a transceiver for receiving and transmitting data over a network, comprising the steps of:

varying an offset of a reference clock signal embedded within the network data signal; wherein the offset varying includes: outputting a reference clock signal embedded within the network data signal; delaying an input clock signal; and controlling the reference clock signal outputting, as recited in claim 15 and in combination with other steps of the claim.

Claims 15-17 are allowed.

The prior art of the record fails to teach or suggest alone or in combination: A program product stored on a recordable medium for testing a transceiver device, which when executed comprises: program code for varying an offset of a reference clock signal embedded within the network data signal; wherein the offset varying program code controls a jitter control system comprising:

A multiplexer for outputting the reference clock signal; at least one delay timer for delaying an input clock signal; a shift register for controlling the multiplexor; and a controller for controlling the multiplexor and updating the shift register, as recited in claim 18 and in combination with other elements of the claim,

Claims 18-20 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SOPHIA VLAHOS whose telephone number is 571 272 5507. The examiner can normally be reached on MTWRF 8:30-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammed Ghayour can be reached on 571 272 3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/31/2007

  
MOHAMMED GHAYOUR  
SUPERVISORY PATENT EXAMINER